



State of Arizona  
Department of Education

## **ESA Legislative Update: 5/6/2014**

### **SB1237**

- 1) Specifies that kindergarten students must reside within the attendance boundary of a D or F school to be a qualified student.
- 2) Requires ADE to contract with an independent third party who shall determine if a qualified student is eligible to receive educational therapies or services.
  - a. A child identified, by the ADE contracted third party, as a child with a disability is deemed a qualified student.
- 3) Requires that monies for educational therapies or services may only be used by a student who has been identified as having a disability by the school district or an independent third party contracted with ADE.
- 4) Requires ESA parents to spend a portion of ESA monies allocated each quarter to provide an education, unless ESA monies are on a non-quarterly transfer schedule.
- 5) Allows the ADE to make ESA money transfers on a non-quarterly basis.
- 6) Makes other technical and conforming changes.

### **HB2139**

- 1) Expands the definition of *qualified student* to include the siblings of current or previous ESA recipients.
- 2) Adds to the definition of *qualified student* to children eligible to enroll in a preschool program for children with disabilities.

### **HB2150**

- 1) Adds children whose parent or guardian was killed in the line of duty to the definition of an ESA *qualified student*.
- 2) Excludes children from additional eligibility requirements to meet the definition of an ESA *qualified student* if that parent or guardian is an active duty member of the armed forces or who was killed in the line of duty.

